



DEPARTMENT OF SOCIAL SERVICES
OFFICE OF THE SECRETARY
DIVISION OF LEGAL SERVICES
700 GOVERNORS DRIVE
PIERRE, SD 57501-2291
PHONE: 605-773-3305
FAX: 605-773-7223
WEB: dss.sd.gov

October 31, 2012

Ken Kramer
Datasearch
15 Turner St. # 1
Clearwater, FL 33756

Re: Request for Records

Dear Mr. Kramer,

The South Dakota Department of Social Services received your written request for public records dated October 26, 2012. It appears that you are requesting the same information that you requested in 2010.

An electronic copy of U.S. Senator Grassley's request for the top ten Medicaid prescribers of Abilify, Geodon, Risperdal, Seroquel, Zyprexa, Xanax, etc for 2008 and 2009 and our response to his letter.

As such, since the statutes regarding public records have not changed since our last response to you, we are forwarding a copy of our November 10, 2010 letter as a response to your request. Please refer to the attached letter for further details.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel J. Todd'. Below the signature is the printed name 'Daniel J. Todd'.

Special Assistant Attorney General



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November 10, 2010

Ken Kramer
Datasearch
15 Turner St. # 1
Clearwater, FL 33756

Re: Request for Records

Dear Mr. Kramer,

The South Dakota Department of Social Services received your written request for public records. It is my understanding that you are requesting the following documents:

Records sent to U.S. Senator Grassley regarding his request for the top ten Medicaid prescribers of Abilify, Geodon, Risperdal, Seroquel, Zyprexa, Xanax, etc for 2008 and 2009. You also asked for correspondence to and from Senator Grassley.

The South Dakota Department of Social Services hereby denies your request in whole. The requested records are not public records and are not subject to disclosure for the following reasons:

- The request involves medical records not subject to release pursuant to SDCL 1-27-1.5(2)
- The request involves investigative material not subject to release pursuant to SDCL 1-27-1.5(5)

- The request involves correspondence not subject to release pursuant to SDCL 1-27-1.5(12)

Pursuant to SDCL 1-27-38, you may within 90 days commence a civil action or file a written notice of review with the Office of hearing Examiners. Refer to this statute for further details.

Sincerely,

Daniel J. Todd

Special Assistant Attorney General

Todd, Dan

From: Bjork, Bonnie
Sent: Monday, October 29, 2012 12:53 PM
To: Ringling, Laura; Todd, Dan
Cc: McClure, Chris
Subject: RE: South Dakota - U.S. Senator Grassley records

Please visit with Dan Todd about this. It is to be handled as a public information request.

Bonnie L. Bjork
Assistant Division Director—Medical Services SD Department of Social Services
605-773-3495

-----Original Message-----

From: Ringling, Laura
Sent: Monday, October 29, 2012 12:34 PM
To: Bjork, Bonnie
Cc: McClure, Chris
Subject: FW: South Dakota - U.S. Senator Grassley records

Hi Bonnie,

Can you assist Ken or point him in the right direction? I don't handle record requests.

-----Original Message-----

From: Ken Kramer [<mailto:ken.datasearch@gmail.com>]
Sent: Saturday, October 27, 2012 11:39 AM
To: Ken Kramer
Subject: RE: South Dakota - U.S. Senator Grassley records

Could you assist? Apparently Larry Iverson no longer works there?

-----Original Message-----

From: Mail Delivery Subsystem [<mailto:mailer-daemon@googlemail.com>]
Sent: Friday, October 26, 2012 9:35 PM
To: ken.datasearch@gmail.com
Subject: Delivery Status Notification (Failure)

Delivery to the following recipient failed permanently:

larry.iversen@state.sd.us

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the recipient domain. We recommend contacting the other email provider for further information about the cause of this error. The error that the other server returned was: 550 550 Rule imposed mailbox access for larry.iversen@state.sd.us refused: user invalid (state 13).

-----Original Message-----

From: Ken Kramer [mailto:ken.datasearch@gmail.com]

Sent: Friday, October 26, 2012 9:35 PM

To: 'larry.iversen@state.sd.us'

Subject: South Dakota - U.S. Senator Grassley records

Dear Mr. Iverson,

This is a records request per South Dakota law.

Please provide an electronic copy of the letter U.S. Senator Grassley sent to your office dated April 21, 2010 asking for the top ten Medicaid prescribers of Abilify, Geodon, Risperdal, Seroquel, Zyprexa, Xanax, etc for 2008 and 2009 and your response to the letter.

Sincerely,

Ken Kramer